

BILL ANALYSIS

Senate Research Center

S.B. 448
By: Sims
Intergovernmental Relations
6-13-91
Enrolled

BACKGROUND

The Texas Legislative Council is required by law (Section 323.007, Government Code) to carry out a complete nonsubstantive revision of the Texas Statutes. The process involves reclassifying and rearranging the statutes in a more logical order, employing a numbering system and format that will accommodate future expansion of the law, eliminating repealed, invalid, duplicative, and other ineffective provisions, and improving the draftsmanship of the law if practicable--all toward promoting the purpose of making the statutes more accessible, understandable, and usable without altering the sense, meaning, or effect of the law.

Article III, Section 43, Texas Constitution, specifically recognizes this type of bill as a "revision" for purposes of the legislature's obligation under that section to provide for the revision of the laws. As such a revision, the bill is not subject to the constitutional rule prohibiting more than one subject in a single bill or the rule prohibiting amendments by reference.

The Legislative Council staff has been working on the intergovernmental relations laws recodification project since the spring of 1990. Copies of preliminary drafts of chapters included in the project were sent to various state agencies, associations representing municipalities and counties, members of the legislature, and other interested parties. Their comments and suggestions received before preparation of the bill have been incorporated into the bill. This proposal was heard in a public hearing before the interim joint advisory committee to the Texas Legislative Council on statutory revision projects.

PURPOSE

As proposed, S.B. 448 provides for the nonsubstantive revision of the Texas statutes relating to intergovernmental relations. The bill adds Title 7 to the Government Code.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Provides for nonsubstantive revision of the statutes relating to intergovernmental relations. Codifies existing law and arranges it into an organized format as Title 7 of the Government Code.

SECTION 2. Repealer. Repeals laws revised in Title 7 of the Government Code.

SECTION 3. Provides that legislative intent is to recodify only.

SECTION 4. Effective date: September 1, 1991.

SECTION 5. Emergency clause.